

Express Mail Label No. EV 337 197 264 US

Attorney Docket No. 59150-8033

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: LEE et al.

APPLICATION NO.: NOT YET ASSIGNED

INTL. FILING DATE: 26 JUNE 2003

PRIORITY DATE: 02 JULY 2002

FOR: AGARICUS EXTRACT FOR PREVENTING THE  
INDUCTION OR METASTASIS OF CANCER

EXAMINER: NOT YET ASSIGNED

ART UNIT: NOT YET ASSIGNED

CONF. NO.: NOT YET ASSIGNED

**Information Disclosure Statement Within Three Months of  
Application Filing or Before First Action – 37 CFR 1.97(b)**Mail Stop PCT  
Attn: DO/EO/US  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. Timing of Submission

This information disclosure is being filed within three months of the filing date of this application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever occurs last [37 CFR 1.97(b)]. The references listed on the enclosed Form PTO-1449 (modified) may be material to the examination of this application; the Examiner is requested to make them of record in the application.

2. Cited Information

- ☒ Copies of the following references are enclosed:
- ☒ All cited references
  - ☐ References marked by asterisks
  - ☐ The following:
- ☐ Copies of the following references can be found in parent Application No. :
- ☐ All cited references
  - ☐ References marked by asterisks
  - ☐ The following:
- ☒ The following references are not in English. For each such reference, the undersigned has enclosed (i) a translation of the reference; (ii) a copy of a communication from a foreign patent office or International Searching

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Authority citing the reference, (iii) a copy of a reference which appears to be an English-language counterpart, or (iv) an English-language abstract for the reference prepared by a third party. Applicant has not verified that the translation, English-language counterpart or third-party abstract is an accurate representation of the teachings of the non-English reference, though, and reserves the right to demonstrate otherwise.

- ☐ All cited references  
☒ References marked by an asterisk  
☐ The following:

3. Effect of Information Disclosure Statement (37 CFR 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

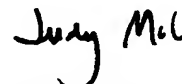
4. Fee Payment

No fees are believed due. However, should the Commissioner determine that fees are due in order for this Information Disclosure Statement to be considered, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-2207.

5. Patent Term Adjustment (37 CFR 1.704(d))

- ☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

Respectfully submitted,



Judy M. Mohr  
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10/519971

DT Rec'd PCT/PTO 30 DEC 2004

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> Form PTO-1449 (Modified) (Use several sheets if necessary)				<b>COMPLETE IF KNOWN</b>	
				Application Number	not yet assigned
				Filed	December 30, 2004
				First Named Inventor	LEE
				Group Art Unit	not yet assigned
				Examiner Name	not yet assigned
				Atty Dkt No.	59150-8033
Sheet 1 of 1				Title:	Agaricus Extract for Preventing the Induction or Metastasis of Cancer

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No.	U.S. Patent or Application		Name of Patentee or Inventor of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Figures Appear
		NUMBER	Kind Code (if known)			

FOREIGN PATENT DOCUMENTS								
Examiner Initial	Cite No.	Foreign Patent or Application			Name of Patentee or Applicant of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Figures	T
		Office	NUMBER	Kind Code (if known)				
	*	JP	11 113531		Takuichi <i>et al.</i>	04/27/99		Abstract Only
	*	JP	2003-128561		Nobuo, Yamaguchi	05/08/03		Abstract Only
	*	JP	2000-038347		Toshimitsu <i>et al.</i>	02/08/00		Abstract Only
	*	JP	2001-010970		Tomihisa <i>et al.</i>	01/16/01		Abstract Only
	*	JP	07-258107		Hitoshi <i>et al.</i>	10/09/95		Abstract Only
	*	JP	2002-145796		Katsuhiko, Hayashi	05/22/02		Abstract Only
	*	JP	2002-308777		Hiromichi <i>et al.</i>	10/23/02		Abstract Only

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.	T
	*	Kadosawa, T. et al., "Clinical Efficacy of Agaricus Blazei Murill and/or Shark Cartilage in Dogs and Cats with Tumors", Jpn. J. Small Anim. Pract., 20(2):101-109, 2001.	No
		Copy of International Search Report (ISR) dated 08/19/03 from PCT/JP03/008157.	

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application(s).	

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